

BRIEF REVIEW

OF

P. 35. C. 8

Parliamentary Reformation,

FROM

THEORY AND PRACTICE.

By an ENGLISH FREEHOLDER.

“Some Men would have better Bread than is made of Wheat.”SANCHO'S PROVERBS.

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BRIEF REVIEW,

&c. &c.

THERE are some complaints in the political as well as the natural constitution, which either arise from the unnecessary fears of the patient, or are induced by the boldness—the over caution, or interested views of the physician. Perhaps a reform in the representation of Parliament is one of those political complaints, as some of the most able and disinterested men in this country have paused upon the actual necessity of such a reformation, both from the present state of the House of Commons, as well as the danger of making so great an innovation in the constitution.

This question, though of a long standing, is still much agitated—its conciliating and po-

popular address has gained it many friends, and I am free to confess there is something in the abstract statement of "whether this country is properly represented or not," that on the first blush would decide many to answer in the negative; but however simple some would define the system of governing to be, there are particular cases and particular times which require not only the exercise of profound justice and reason, but a deep and accurate knowledge gained by much popular experience of the human heart.—A knowledge that instructs us when to yield and when to withhold, what to do all at once, and what by degrees, what to blink at, and what to enforce; in short, it is sometimes with the mass of the people as with the education of children, their strong and prominent vices should always be resisted, their follies averted (and, for the sake of keeping them in good humour, perhaps sometimes indulged) whilst their good tendencies should be always brought forward with every degree of cultivation and encouragement.

But after all this care and circumspection, let the wisest statesmen do what they can, they must not ambition to aim at absolute perfection: "whoever wants an absolute perfection, wants a very great evil; for where the end is impossible, the means cannot be just"—for

instance, should a statesman, in the present cant of the day, endeavour to bring about *equal rights*, and *an equal division of property*. This, considering us all as the sons and daughters of Adam and Eve, may seem very just and proper; but then, till all men are made equal in *sense, cunning, power, strength, industry*, &c. &c. (a situation which providence never intended us for) the completion of it would be impossible; and if it were, nothing could be more unjust, as it would be sharing with the sluggard and the vicious, the well-earned meed and distinctions of toil, talents, and virtue.

Keeping, therefore, clear of this *absolute perfection*, or, as Dryden has happily expressed it,

“ This faultless monster which the world ne’er saw,”

and estimating men by these tempers, passions, and qualities which they really possess, let us try how far it is probable *a reformation in Parliament* would operate in conciliating an union of general opinion and effecting a radical improvement in the Constitution.

In discussing this subject, those of strong democratic attachments talk of nothing short of *annual Parliaments*, as the best mode of having the people served, and freest from the influences of bribery and corruption. Others think

annual Parliaments (considering what is to be done, and the shortness of their duration) would not be fully competent to the discharge of public business; such, therefore, eagerly contend for *triennial Parliaments*, as the period most agreeable to the spirit and purity of the British Constitution.

In respect to the modes of Parliamentary reformation, greater differences still arise. Some are for cutting off what they call the “rotten boroughs,” and giving representatives to some considerable places not as yet represented—others are for enlarging the number of representatives for the city of London, and borough of Southwark, others are for adding one hundred knights of shires to the present number of the House of Commons; others are for qualifying all males indiscriminately (not lunatics) at or above the age of twenty-one, as electors; whilst others are for enlarging the value of their qualifications.

Thus we see in the very outset of this question as great a diversity of opinions, as if two subjects the most dissimilar in their nature were under discussion; so that, whatever bill may be brought into Parliament for its reformation, it would, in all probability, meet with much opposition both within doors and without, for not being competent to concentrate general

opinion—the opponents would call it a *half-measure*, and scout it as cutting off a future hope of a more radical and effective reform.

The advocates in favour of the present representation, will not deny, “ that our Constitution may have some faults, (as where is there any thing absolutely perfect in this world ?) and that those faults, when found, ought to be corrected; but it is not, they say, every thing which appears at first view to be faulty, in such a very complicated system as our Constitution, that is to be determined to be so in reality. To enable us to correct the Constitution, the whole of it must be viewed together, and it must be compared with the *actual state of the people, and the circumstances of the time*; for that which taken singly and by itself may appear to be wrong, when considered with relation to other things may be perfectly right, or at least such as ought to be patiently endured as the means of preventing something that is much worse.”

As to the *remedy* of that distemper, an equal caution ought to be used, because this latter consideration is not single and separate any more than the former. There are many things in reformation which would be proper to be done, if other things can be done with them, but which if they cannot be accompanied, ought

not to be done at all; and these considerations have induced some of our wisest and most unbiassed statesmen, who have considered the whole of our great political machine, and who have ambitioned to give it every degree of possible perfection, to check upon making so great a change in the ground work of our constitution.

But to speak to this subject more particularly ; should it not be an object of much serious apprehension, that in shortening the duration of parliament, it might, in the proportion, encrease the idleness, the dissipations, and corruptions of the public, who may be apt to make their qualification, as electors, a sort of ready traffic to live by? Is it not to be dreaded that this frequent right of Election might induce the people (equally subject to the arts of popular leaders, as capricious in their choice) occasionally to elect men of desperate fortunes and unprincipled characters, who might win their favour by seducing arts and impracticable promises? and might it not, in the same proportion, deter men of real fortune and character, men of wise and temperate judgments, to go through the bustle and fatigue of constant elections, and more particularly to combat the arts and intrigues of such opponents?

I do not mean to impute to the people, vices which they have not; but surely every

man who has made close observations on the great mass of the public, and who properly considers their wants, their follies and dissipations, must know, that numbers are liable to be corrupted, and that the poor and ignorant, though in many respects they may be honest, are still more assailable than men of knowledge and independence.

Besides in every new session, there are numbers of men who never sat in Parliament before, and who consequently, (however qualified to speak and legislate) are deterred from exercising those powers till they get acquainted with the customs, rules, and orders of the House. This progressive knowledge under the present continuance of Parliament is no inconvenience; but, on the contrary, operates in a degree of utility to the interests of the state. But in short Parliaments, and particularly in *annual*, what with the forms of opening a new session, establishing Committees, receiving and trying petitions, &c. &c. a great part of the time must necessarily pass away before any important business could be done, and which in cases of great emergency, would commit the state to many difficulties and dangers.

I may be told, in answer to this, that in the early parts of our Constitution, Parliaments were annual, and the fourth and thirty-sixth

of Edward the Third, may be referred to in proof of this assertion; but this is evidently a mistake of those, who, in their zeal for parliamentary reformation, either forget, or do not know, that tho' the Parliaments at these two periods were declared annual, *General elections were not*; the construction of those acts being that the same Parliament "should sit once a year, or oftener if need be;" a law, by the bye, which, like many others, *was never observed*, and lost its authority by disuse.

Modern reformers therefore very much mistake the genius of this reign, if they recur to it for the *purity of the Constitution*. On the contrary, all the high prerogatives of the Crown were fully exerted in it: Such as the dispensing power—the extension of the forests—the creating monopolies (the first of the kind which we read of)—the exacting of loans—the stopping of justice by particular warrants—the pressing of men and ships into the public service—the levying of arbitrary and exorbitant fines—the extending the authority of the Privy Council, or Star Chamber, to the decision of private causes—the enlarging the power of the Mareschal's and other arbitrary Courts—the imprisoning members for freedom of speech in Parliament—and the obliging people without any rule, to send re-

cruits of men at arms, archers, and hoblers to the army.

But there was no act of arbitrary power more frequently repeated in this reign, than that *of the imposition of taxes without the consent of Parliament*. Cotton's abridgement of the records affords the following instances of this kind; viz. in the First year of his reign, in the thirteenth, in the fourteenth, in the twentieth, in the twenty-first and second, in the twenty-fifth, in the thirty-eighth, in the fiftieth, and even a few days before the King's death, when the Parliament desired that he might renounce this pretended prerogative, his answer was, "That *he* would levy no taxes without necessity for the defence of the Realm, and where *he* reasonably might use that authority." The fact is, the Commons' House of Parliament was very inconsiderable at this period. The King sometimes, in his writ of summons, *expressly named the representatives which the Sheriffs should return* †. The House often declined of themselves "interposing in the more important matters of state;" and even were without the advantages of a *speaker* to preserve the order of their debates,

† For the authorities, see the preface to Ruffhead's Statutes.

and maintain these forms which are requisite in all numerous Assemblies. *

In respect to giving a more *equal representation* to Parliament, by increasing the number of representatives, if we compare what the House of Commons was then, with what it is now, making every allowance for the difference of times, we shall find the advantage greatly on our side. In Henry the Sixth's time, according as Fortescue is *best understood*,† —both Houses of Parliament did not exceed *three hundred*; and at the latter end of Henry the Eighth's reign, (according to the assertion of Mr. Gurdon, a learned investigator of old parliamentary institutions) the number of the House of Commons was, but *One Hundred and Twenty-six*: So that by computing the increase of the Commons, from the time of Edward the Third, to the end of the reign of Henry the Eighth, their number must be considerably smaller in the first reign; a circumstance which, at least, proves that there can be no deviation from the antient constitutional intention and spirit of Parliament; unless the

* Peter de la Marc was the first speaker of the House of Commons, and was so appointed in the first session of Richard the Second's Parliament.

† See Plowden's *Jura Anglorum*. p. 441,

increase of the numerical proportion of the representatives to the represented, shall be thought a violation of the constitution.

As to Boroughs sending members to Parliament, not elected by a proper proportion of the people, it arises from some of those principles that prevent all governments from gaining their utmost limits of perfection; viz. "That by being formed by degrees, and in different ages, they cannot be exactly suited to all the *desiderata* of modern times, without endangering the whole fabric. Many of these Boroughs originally had a right vested in them to send members to Parliament, when their population and consequence were such as supported that right in its fullest extent; but in that partial, yet sure, decay which nations, as well as individuals, experience through all ages, population so much decreased, that the rights of election descended to a few individuals, and these sometimes the tenants or dependants of some powerful man of property in the neighbourhood. But who will argue from this (vassalage and the feudatory system being long since abolished) that a few individuals can be more constrained to give their votes in preference to one person more than to another, or more than hundreds may do upon the same occasion? Supposing men to be governed by

their worst passions, (which is not an improbable supposition in general elections) the greater number will always require more bribing and more extensive arts of seduction: this is evident in the difference between Boroughs and great Cities—Cities, and Counties—whereas the few, either from neighbourhood, social intercourse, or personal character, are more likely to be acted upon by benevolence, gratitude, and affection; and would it be either just or prudent to begin an experiment where the theory is so much against us, by so great a violation of property, as well as a suppression of natural feelings?

Besides, this disproportion in the number of electors, has been so long and imperceptibly woven into our Constitution, that there appears to be great difficulty in rectifying it without augmenting the force of the democratical part of our Government; and of course, breaking, or at least injuring, that equilibrium which has been so well preserved for ages; and if ever a time should come, that representation may be rendered more equal, perhaps it might be indispensable at the same time, to strengthen the other two branches of Government; a kind of *patching* and *piecing* of the Constitution;

“ ————— as if it was intended

“ For nothing else but to be mended;”

and which, to men who know that all Governments are to be principally judged of by long experience, must require great pause and deliberation.

As to the cant of *restoring the Constitution to its original purity*, by a more equal representation, we have just seen what this original purity was in the House of Commons in Edward the Third's time, (this boasted æra of annual Parliaments,) when those very Parliaments *were not only partly formed by the King's nomination, but frequently taxed against their own consent*. And in Queen Elizabeth's, according to Camden, we find many places that returned Members, which that learned historian describes, "in solitude and desolation;" tho' some of those very charters were granted in the life-time of that princess. These, with a number of other instances which may be adduced, prove that *the Constitution of this Country has not declined*, but, on the contrary, it has derived a more equal and personal degree of representation, with a greater degree of purity, since the revolution, than at any preceding period of our history.

But in order to remedy this unequal representation between two Boroughs very dissimilar in population and opulence, as well as to atone for the chasm of some Cities and Boroughs not being represented at all; (which last,

by the bye, was generally the fault of the inhabitants themselves, who by petition begged to be excused from sending Members to Parliament) every Member, no matter where elected, is so elected for *the express service of the whole Realm*, and is officially bound to take care, and watch over the other parts of the Kingdom, equally with that County, City, or Borough which he represents; his duty is not particular, but general; as will more evidently appear from the following writ of summons.

“ *De Communi consilio super negotiis quibusdam arduis et urgentibus, regem, statum, et defensionem regni Angliæ et Ecclesiæ Anglicanæ concernentibus.*” Hence it is evident, that a Member of Parliament is not bound, as Blackstone judiciously observes “ like a deputy in the United Provinces, to consult with, or take the advice of, his constituents upon every particular point, unless he himself thinks it proper, or prudent to do so.”

The question, therefore, is not a question of *equal representation*, seeing that the *duty* of a Member of Parliament is not involved in it, but whether the House of Commons, as it is now constituted, under all the restrictions of provisionary laws, are a sufficient body to legislate for the people of England? And here I will appeal to all those conversant with the

nature and temper of large assemblies, whether the present number of the House of Commons is not fully competent to all the purposes of public discussion short of tumult and disorder? and whether this number, being for the most part composed of the principal landed, commercial and moneyed men of the country, their characters, their fortunes and connections, are not sufficiently involved to give them all the responsibility of representation? Compare the number of our Houses of Parliament with that of the National Assembly of France, (if I may be allowed even in point of *number* to degrade our senate by a comparison with such a sanguinary, tumultuous banditti) and we shall find the odds, in this particular to be much in our favour, they having not above *seven hundred and fifty* to legislate for twenty five millions of people, whereas we have (including the House of Peers) above eight hundred to legislate for not quite a third of that number; the greater part of whom, generally speaking, are judiciously selected from the great body of the people, whose interests and happiness are inseparably the same.

There are many, however, who are ready to give up the question of *annual Parliaments*, and an increased representation, who are nevertheless determined on the necessity of *trien-*

nial Parliaments. This, they contend for, is a species of reformation which none but placemen, pensioners, and courtiers, can possibly object to, and which, compared to septennial Parliaments, is as light to darkness—freedom to slavery, &c. &c. &c.

To meet this question with fairness, I will not confine myself solely to argue upon the probable improvements which such a change might make in the Constitution, but recur to facts, and as this country was governed under a *soi-disant* triennial Parliament for thirteen years, and under an actual one for above twenty one; and as both periods of history verge so near our own times as to come to us under sufficient authenticity—I shall take a cursory view of the principal proceedings of both Parliaments, and then compare them with those since the introduction of the septennial act.

In respect to the first of these, the Parliament of 1640, I should be ashamed not to confess a grateful sense of the spirit and abilities with which the majority of them, in the beginning, supported and extended the rights of the Constitution—there were individuals in that Parliament then, who must claim the reverence of all ages.

“ Nor dare I from their patriot temples tear
“ The sacred laurels which they ought to wear.”

But though I give those individuals full credit for their zeal, integrity and abilities, it must be likewise confessed, that under the warmth of that zeal, they unsuspiciously and unintentionally fostered a canting, fanatic band of levellers and republicans, whose jaundiced optics made them see every thing gloomy in religion, every thing that was base—and destructive in politics—These men insidiously gaining progressive strength, soon overpowered the virtuous part of that House of Commons, discarded all ideas of real patriotism, and became highly instrumental in destroying the liberties of their country.

Speaking of this Parliament therefore, under such circumstances, let us see how they acted. In the early part of their convention, they obtained a triennial act “for the preventing of inconveniences happening by the long intermission of Parliaments;” so far was guarded and constitutional; but how did they follow up this on their parts? Why, by forcing from the King an act “that they should not be dissolved, but by their own authority,” afterwards sitting uninterruptedly during the period of *thirteen years*, and were then dissolved, as ’tis well known, violently against their inclinations.

The other acts of this *triennial Parliament*

are equally curious—" They quarrelled with
 " the King for levying 200,000l. per year ille-
 " gally, yet in five years they raised by their
 " own single authority, forty millions, a sum
 " fully equal to one hundred millions at pre-
 " sent."

" They were accused, by one of their own
 " party, of dividing 300,000l. amongst their
 " own members, an accusation highly probable,
 " as it is upon record, that in the assessments
 " of those infinite burdens laid upon the peo-
 " ple, their own members were exempted, so
 " as to be taxed only by one another."

" They instituted county committees, with
 " power to fine, sequester, imprison, and
 " corporally punish, without appeal and with-
 " out law."

" They put an imprimatur on the press,
 " and abolished the trial by jury against their
 " own accusations."

" They pressed men into their armies, and
 " then passed ordinances for punishing them,
 " if they ran away."

" They erected themselves into the supreme
 " authority of the Nation, denying either the
 " interference of the King, or the House of
 " Peers, as necessary to the formation of laws."

" Though, by *their own authority*, they
 " excised bread, flesh, and almost every other

“ consumable commodity ; a stretch of power never before attempted by the joint powers of King, Lords, and Commons.

“ They finally, in confederacy with the army, embrued their hands in the blood of their Sovereign, and by this act at once trampled upon the remnant of the Constitution, and the sacred rights of humanity.”

In short, “ this great and glorious Parliament,” as ’tis still called by the remnant of the *old leaven*, deported themselves so in the last seven years of their sitting, even to the soberer part of the fanatics of those days, that when Cromwell dissolved them by one of the most daring and arbitrary modes ever practised, the public blinked at this measure, under an idea that they could not be subject to the controul of more abominable Legislators.

But as many of our *modern reformers* are *cautiously* apt to ascribe the many enormities of this Parliament more to the difficulties of the times, than the badness of their intentions, we will leave such in the possession of that palliation with accepts *baseness* for *convenience*, and proceed to the more tranquil and settled period of the second establishment of *triennial Parliaments* in 1694 — A period so recently fenced by the revolution, as promised this act

to be one of the first good fruits of that very important æra.

Yet here it unfortunately happens for its advocates, that it is to the same Members who obtained *this reformation in our Constitution*, that we are indebted for the foundation of *our present national debt*, a grievance so long known and felt, that it needs but to be mentioned to meet with reprobation; a Court policy, suggested by the statesmen of that day to make a sacrifice to their Monarch at the expence of public happiness and prosperity; a policy that has put an engine of corruption into the hands of every bad Minister, and has spawned a race of stockjobbers, usurers, and swindlers, who have been as great a disgrace upon public credit, as they have vitiated the stock of public manners.

General warrants were another grievance which were never more exerted than in the infancy of this *triennial Parliament*, where the Messengers of the Crown were undisturbedly permitted to break into Houses, seize papers, and apprehend persons at their pleasure, and for which, plots, whether real or fictitious, were never wanting to encourage those strong and unconstitutional measures.

Boroughs, so far from becoming virtuous by shortening the duration of Parliament,

became proportionably venal—of which many instances could be adduced, but more particularly those of Hendon and Aylesbury, the first of which places was disfranchised, though the corrupter, from being a Tory, escaped every kind of punishment, but disgrace. In fact, the majority of the House of Commons became so corrupt, that it was no uncommon thing to see a person admitted to his seat, though a great majority of electors voted for another. Nay, the opposition of that time (1701) were charged with taking bribes from the French King, through the medium of his Minister Tallard, (*which shews that modern charges are not without precedent, and may not be without foundation*) and what gave a strong colour to this report was, there never was known before in this country such a sudden influx of louis d'ors and pistoles—The opposition felt this charge so sorely that they thought proper to defend themselves upon the score of their *honour* and the *sacredness of their public trust*—but the people had their own opinions of both, and the historians, speaking of the general election which immediately succeeded this period, scruple not to say “corruption was now reduced into an open and avowed commerce, and had not the people been so universally venal and profligate,

“ that no sense of shame remained, the victors must have blushed for their success.” *

Indeed the corruption appears not to be confined either to the opposition in Parliament or the mass of Electors—it even reached the chair of the House of Commons; and Sir John Trevor, their speaker, was impeached and convicted of receiving bribes in the case of the East-India Company.

In short, the electors seemed to consider the triennial act as a *second opportunity*, in the course of seven years, to make the most of their votes, and as a dissolution of Parliament not unfrequently took place before the three years were expired—they considered this as an *additional bonus*—hence many of them became idle, dissipated and overbearing; whilst, on the other hand, the candidates became servile, canting, and dependant; those who could not bribe, flattering the town or borough they stood for with impracticable promises; whilst those who could corrupt, did it openly, relying upon making their market of it in turn, regardless of all other considerations †.

* Vide Smollet, vol. 6, p. 310.

† Amongst the many election manœuvres of those times, the following one is recorded of Sir Rich. Steele. Sir Richard having put up for Stocbridge in the year

From such practices, the general character of the House of Commons was by no means what it is now, either for rank, character or independence. Money made its way over the heads of old families who had pledges in the country for honour, sense, and reputation; and new men started up, who having scarcely any pretensions to character, parted with it without feeling much scandal or disgrace. This may be seen by looking over the election pamphlets of those times, as well as referring to the constant disputes of the House of Commons with the upper House about impeachments, privileges, &c.; disputes which generally originated in the venality and insolence of the Commons, and which often rose to such a height as to become equally odious to the public as dangerous to the balance of the Constitution.

I could dilate much more on the corruptions of those times, but such will be sufficient to shew that triennial Parliaments by no means effected those *virtuous reformati*ons, either in

1713, against a strong Court interest, he gained his election by the following device: He procured an uncommon large apple, which was stuck round with new guineas to be carried through the market place, and there proclaimed "that such should be the prize of that man whose wife was first brought to bed that day nine months."

the electors or elected, which many people, now a days, think they would; but on the contrary, they gave more opportunities (such is the condition of human nature,) to practise those arts which, when public favour is to be obtained, are but too frequently practised between the grantor and grantee.

Proceeding upon facts, I shall now contrast the above description, with the advantages which the Constitution has gained by *Septennial Parliaments*; but as this word seems to sound harsh in the ears of modern reformers, and as their general opinion is, that the first Parliament of George the First, in extending their session from *three*, to *seven years*, was a violent infringement on the Constitution, I shall previously consider this point, as in some respect, implicated in the general question.

I have had occasion before to observe, that by the writ of summons to every Member of Parliament, he is intrusted by his constituents *to take care of the general interests of the Church and State*, according to the best of his power and knowledge: now, tho' I grant it may fairly enough be implied, that when the electors, before the year 1715, returned a Member to Parliament, they meant the session only to continue *three years*, yet the nature of his trust gave that Member a power, if he saw either

the *Church or State*, (which he was sworn to defend) in any particular danger, to extend that period from *three* to *seven years*; and if a Tory Parliament, by his neglect, could have been elected, (as was the general dread at that time;) and they overturned the act of settlement: such a Member of Parliament would be answerable for all the consequences, in not exerting those powers which the very words of his writ of summons, and the spirit of the Constitution, gave him.

I do then deny that position so zealously clamoured for, “that the people were imposed upon by their representatives in this business;” nor did the people of that day think so themselves; as at the end of the seven years they raised no clamours, proposed no new tests, or ousted, on that account, any particular Member of the last Parliament; all was quiet, as in the ordinary course of representation. Beside the Parliament of 1715 surely had as good a right to extend their duration, as the Parliament of 1694 had to abridge theirs? They possessed equally the same powers and privileges; with this difference, in favour of the former, that they only *adopted* the bill as one of the branches of the legislature, through the medium of the House of Lords; whereas,

the latter originated it in their House, and consequently became principals in the business.*

~~4~~ This being premised, I shall now proceed to consider some of the advantages which the Constitution has received under the operation of the Septennial Bill. And in looking over the Statute books to this view, we will find that this Parliament, so far from extending the period of their duration, for the purposes of giving unconstitutional power to themselves, took the earliest opportunity of framing such laws relative to elections, as were best calculated to secure the liberties and properties of the subject. Successive Parliaments have trod in their steps, by considering the purity of elections as the best security for an independent House of Commons, and have therefore, from session to session, provided such laws as seem most likely to attain it—such as the many penalties against bribery and corruption—a new freeholder's oath—troops quartered in any town or Borough obliged to withdraw before an election—Members to deliver in their qualifications upon oath—taking away the privilege of Members of both Houses, from screening their domestics and dependents

* Mr. Harley brought the Bill into the House of Commons, for shortening the duration of Parliament, in 1694—and the Duke of Devonshire, in the Lords, for extending the duration of Parliament, in 1715.

from arrests in cases of debt, &c. &c. and above all, Mr. Grenville's act "for the regulation of trials in controverted elections"—an act which has done more good towards the purity of elections, than all the others put together; and which even *Party*, in all its restless courses of inquisition, have never attempted to set aside or calumniate.*

Nor has the Constitution in general been less attended to than the purity of Elections since the passing of the septennial act. Since this period, our political advantages have proceeded with progressive improvement—the judges of the land have been rendered indepen-

* Amongst the many unconstitutional measures practised by former Ministers before the introduction of this act—the following comes well authenticated:

An Irish Baronet, of the name of O'Brion, being returned to serve in Parliament for a Borough in Hampshire—a few days after he took his seat, made a speech against the Minister, in which he shewed no less talent than invective against his measures. The Minister, surprised at a new enemy, asked a friend, who was near him, "who he was?"—the answer was "an Irish Baronet, just elected for such a place"—"Was there no other candidate," says he? "O yes, but he lost his election *three to one*."—"No matter for that," (continues the Minister) "Let him petition"—The hint was taken; the other candidate petitioned; and notwithstanding his great inferiority of votes, he was *adjudged, in a full House of Commons, to be the sitting Member.*

dent, general warrants have been done away, the influence of the Crown considerably diminished, the toleration acts extended, and the liberty of the press, that great palladium of every Englishman, cleared from those unconstitutional restraints, which, I trust, will ever prevent it from becoming an engine of corruption in the hands of bad ministers.

Having thus reasoned on the general theory of reformation, as well as shewn, in different periods, the effects of triennial and septennial Parliaments, let us see how far a further change forms the general wish of the people at present, and how far it could be now attempted with any degree of safety to the Constitution.

Previously to the making of any new laws that go materially to affect the Constitution of any country, it has been held both wise and prudent, that partial and temporary complaints should not be sufficient for the alteration; and the reason is most plain and obvious; because the interest, the ignorance or the passions of some men will often induce them to complain of what they think oppressive to them, without considering or being able or willing to consider the good of the whole.

In all mixed Governments so large, so populous and commercial as ours, there must be always many candidates for the highest offices, some of

whom must necessarily fail in the attainment of their object; and nothing but great firmness of mind, which is not always the concomitant of ambition, will prevent the disappointment of such men from degenerating into discontent—others will be suitors to administration for subordinate situations of honour or emolument, and many, of course, will meet with refusals; hence if vanity or interest happens to be very predominant in their minds, they will become discontented.

There will be others, who, not having talents sufficient to raise themselves into notice by the usual and established means, where superior abilities are already in possession of, or dispute, the ground, will find it much more convenient for them to resort to those channels, which *party* and *faction* always make easy; and to such, the more obscure, and even the most unpopular opposition will have its charms, as it gives them fewer rivals, and makes them more certain of attaining distinction.

There will likewise be others, who, having succeeded in their pursuits in life beyond what even their most sanguine expectation could, at the beginning, have suggested, grow surfeited of that more sober applause which is bestowed by reason, or which is even lavished by honest admiration, and who from the

mere impotence of mind attending on prosperity, will hunger after the higher seasoned panegyrics with which *faction* fails not to reward its followers.

Among such various descriptions of men, there will be always found some restless and furious spirits, grown more so by daily fermentation and disappointments, whom no circumstances of time, no consent of the mass of the people in sentiments of peace, order, and loyalty, will stop from vomiting forth their discontent, and from pursuing their miserable and mischievous endeavours to work themselves into some kind of notice.

And here let me not be thought to draw too strong a picture of the state of party; to the good citizen, and the man of integrity and observation, I appeal; and him I will ask, whether he has not seen, and does not see, such characters around him; men who, from their writings, their lives, their conversations, or their speeches, carry the indelible marks of “the perturbed spirits” of the commonwealth, men who gloom and sculk in the prosperities of their country, but who come abroad and batten on its misfortunes—men who wish to keep no other register of events than a *chronicle* of national calamities, and some whose wretched daily bread arises from their constant *fabrications* of them?

A wise statesman, therefore, will resist, by every legal means in his power, those unjust, partial, and interested complaints, and wait till he sees the public mind properly and fairly impressed with the grievance, till he sees it is become so serious, and at the same time so general, that it is no longer equivocal, but that some remedy is unavoidably necessary.

In applying this to the sense of the public at present, relative to a parliamentary reformation, we hear of no such universal complaint. At the conclusion of the American war, no doubt, there appeared to be a general feeling that we were upon the verge of a national bankruptcy, and a strong sense was entertained of various practical grievances; many thought, therefore, and the present Minister amongst the number, "that unless there was a better connection between the Parliament and the People, the safety of this country was in some danger;" and for this purpose, he moved for leave to bring in a bill for a *more equal representation in Parliament*.

In the discussion of this question, many wise and moderate men admitted there were abuses that ought to be corrected; but, having maturely weighed the whole of the case, even as it stood then, they were of opinion, "that although some evil was to be met with,

“ yet that, on the balance, the good preponderated, and therefore, from a fear of possible bad consequences, they voted against this plan of reformation.” What was the result? No tumultuous meetings, no violent petitions, militated this rejection—the Nation seemed to fall back to the *reconsideration* of the question; and, submitting to the decision of Parliament as the *lesser evil*, gave it their ready and silent acquiescence.

If, then, the fear of letting in more evil than good operated upon the majority of the people, previous to the conclusion of the American War, what must be, what is, the general sense of the Public at present? when the idea of a general bankruptcy has not only vanished “like the vapours of a morning’s dream,” but a happy prospect opened to us of our national debt being in a progressive line of liquidation—when our commerce, our arts, and manufactures are rapidly increasing; and when we feel ourselves, by a comparison, with every part of the habitable globe, a Nation eminently distinguished by the favour of divine Providence.

A reform, therefore, in Parliament, considering the situation we are in at present, and the dangers to be dreaded from the attempt, cannot be, nor is, *the general wish*

of the people, and therefore would not be the duty of a wise and judicious statesman to adopt it. It is true, *several associations* (or rather, *one or two associations*, playing the stale trick of multiplying themselves under *different names*) have been formed, where the people have been partially collected together, and pocket questions produced of a parliamentary reformation being the infallible nostrum for all political and moral evils—but this is not *the collective spontaneous declaration of the people brought together by the evident necessity of the case*, but, for the most part, of bigoted or interested men, who want to draw the public to their side for base or visionary purposes.

Oh! but, say the favourers of reformation, “we admit the comparative flourishing condition of the country, and for this very reason solicit so great a change in the Constitution, as most likely to be effected without any consequent danger;” and then addressing themselves to the public, through the medium of inflammatory pamphlets, handbills, paragraphs, advertisements, &c., call upon them “to ameliorate the Constitution.” But is it a time for a country in a growing state of prosperity to talk of strong and dangerous internal experiments? should

it not rather be the endeavour of all who would aspire to the character of real patriots to render that prosperity secure and durable? Is it in the possession of health and vigour that a man should quack himself, and risque that full health which he enjoys so pure and undisturbed? Look to *Les Malades imaginaires* of all descriptions, and ask them what they have gained by their innovating prescriptions? They will answer you, “a change from good to bad—we would have more than the vigour of men, and we have rendered ourselves miserable invalids.”

Though the times are prosperous and flourishing in respect to our finances, our commerce, and political superiority over other states, yet, when we see the anarchy and confusion which at present reign in another country brought about by too ardent a zeal for reformation—when we *have heard* (for now that voice is in a great degree suppressed) this misconceived, misguided, and bloody revolution, not only praised and held out as an example by emissaries from that country, but by the knaves and fools of our own, it is time for every man who values himself on being an *Englishman* to guard against this *specious system of reformation*, to look with careful and riveted eyes to the motives and

probable consequences of it—consequences which, on every side, present nothing but mischief, ravage, and confusion.

These advocates, however, in that persevering spirit which generally inspires reformers, would willingly persuade us there is no danger in the experiment; “they mean
“no more than a *simple reform* in the representation of the people, without taking
“another step towards altering the Constitution.” But will any man of reason or experience answer for the public mind when it is ignited to a certain pitch? “The raging
“of the sea and the madness of the people” are coupled together in holy writ, and it is God alone who can say to either, “hitherto shalt thou pass, and no further.”

I am willing, as long as I can, to give men of general probity, and a certain rank in life, the best credit for their declarations, and allow them the best motives for their actions; but when *certain facts* come out as contradictions, I am bound, as a man looking to the justice of the case, to doubt these declarations, or at least to doubt the power of those men to carry their declarations into any effect: but let us examine these facts as they arise out of some of their own published or avowed doctrines.

One of their great champions for parliamentary reformation asserts, " That government is no farther necessary than to supply the few cases to which society and civilization are not conveniently competent—that the abolition of any formal government, far from being the dissolution of any society, brings it closer together—that formal government makes but a small part of civilized life, and whenever the best that human wisdom can desire is established, it is a *thing* more in name and idea than in fact *."

This is part of his sentiments upon government in general; but when he touches upon the regal power, his mighty soul is up in arms, and " he declares war against the whole *bell* of monarchy †."

Another champion for parliamentary reformation, who, though a *priest*, loses none of the decisive tone of his *reforming brother*, asserts, " That Government will never be awed by the voice of the people so long as it is a *mere voice without overt-acts* ‡—That if Government, though legal and confi-

* Paine's Rights of Man, Part II.

† His Letter to Abbé Sevyes.

‡ Priestly's Essays on the free Principles of Government.

“tutional, has not made sufficient provision
 “for the happiness of the people, no other
 “property, or title by which it might be
 “dignified, ought to shelter it from the
 “*generous attack* of the noble and daring
 “patriot*.”

The same *reverend reformer*, speaking of
 the American form of government, says,
 “The Americans ventured to do a great deal
 “more than our ancestors did at the revolu-
 “tion — they formed a completely new go-
 “vernment on the principles of *equal liberty*
 “and the *rights of man* (as Dr. Price *expres-*
 “*sively* and *happily* said) without *Nobles*,
 “without *Bishops*, and without a *King* †.”

In another place he thus more particularly
 inveighs against our church government, by
 calling it “the bane of religion—the fungus
 “of an establishment upon the noble plant
 “of Christianity, and such *vermin* deserve
 “no mercy ‡.”

And, in conclusion, triumphs in a hope,
 “that the political gunpowder which he and
 “his friends have been assiduously laying,
 “grain by grain, will one day blow up the
 “old building of error and superstition §.”

* Priestly's Essays on the free Principles of Government.

† His Letter to Mr. Burke.

‡ His Letter to the Students of New College, Hackney.

§ His Letter to Mr. Pitt.

Their *French friends*, in the mean time,
have not been deficient in *brotherly love*;

“ Great souls by instinct to each other turn,
“ Melt in alliance, and in friendship burn.”

they equally wish for a *reformation in England*,
and thus express their *patriotic* hopes on the
very *near* approach of it :

“ Since the explosion of liberty in France,
“ a *hollow fermentation* has shewn itself in
“ England, and has more than once discon-
“ certed all the ministerial operations. Popu-
“ lar societies have been established in the
“ three kingdoms, and a *parliamentary reform*
“ has been talked of *just in the same manner*
“ *as at the end of the year 1788 we in France*
“ *talked of the necessity of calling together the*
“ *States General*. It is well known what a
“ number of persons there are who think
“ right, and daily enlighten the people of
“ England, and whose opinions furnish sub-
“ jects for useful disputation. These people,
“ who at once fear and desire such a revolu-
“ tion as ours, will necessarily be drawn along
“ by those courageous and enlightened per-
“ sons who always determine the first steps;
“ the opening of the session of Parliament,
“ which approaches, will *infallibly become the*
“ *occasion of the reforms* which regard the na-

“ tional representation—from thence to the entire establishment of a republic*.”

Such are the sentiments of writers who, though they may be occasionally abandoned by men who hold more moderate principles, when pressed upon the absurdity of the above doctrines, yet these very men of *moderate principles* suffer their names to be enrolled with some of them in the *same clubs* and *associations*—associations where Paine’s book on the Rights of Man has been not only praised in the highest strains of panegyric, but abridged and circulated at their particular expence for the *public good*—where the defence of his doctrines has been supported, and his name echoed at their public dinners as if he had been the martyr of political liberty—where some of them go farther than merely discussing such doctrines, by openly avowing their correspondence with the *Jacobin clubs* in France, “ soliciting their amicable correspondence, “ and invoking them as members of the most “ enlightened nation in Europe †.”

Thus we see, that even *now* we are not at a loss for the *real* political opinions of many of those who are ready to act as our reformers

* State paper, signed by *Condorcet*, and published in the Chronicle of Paris on the 23d of November, 1792.

† See T. Cooper’s letter, Morning Chronicle, July 26, 1792.

in Parliament: some openly denying the energies of all government—others attacking the established religion of the country — and others corresponding with a club of *foreign regicides* for the express purpose of correcting the grievances in England.

It will avail little to men of better principles and more moderate judgments, who associate with these people, to say, “ God forbid we should go all these lengths — we only want a simple reform, and when this is completed, we will trust to a Parliament so constituted to carry on all the purposes of a free Constitution.”

I am ready to believe that some, confederated with these clubs, mean no more; but I must say to such what I have said before—who will answer for the men you herd with? Don't they avow doctrines the most repugnant to this at present? are not their spirit and their principles echoed in pulpits, pamphlets, and pitching places *? Have you disclaimed associating with such people? Do not you continue to eat and drink with such publicans and sinners? and with what face can you turn about to them in the moment of *reformation triumph*, with the door *half opened* in your hands, and say, “ Gentlemen, you must

* At several green stalls and pitching places for porters Paine's Rights of Man have been lent to read *gratis*.

go no farther?" What think you will be their answer on the occasion? why they will tell you, and not at all incompatible with their first principles, "A simple reformation in Parliament might satisfy you, whom we well knew would be content with *half measures*, but we want a more liberal and general reform, an *establishment of the rights of man*, and the *equalization of rank and property*: and who are you who dare oppose us? an handful of aristocrats who have fattened upon the toils and labours of a poor peasantry, and would still carry on your tyrannies and oppressions—

MAKE WAY FOR THE MAJESTY OF THE PEOPLE!

These would no doubt be joined by crowds of others, too wretched and too ignorant to belong to any other associations than those for the immediate purposes of rapine and plunder—men who hang loose upon all large societies—a kind of flying squadron, who, from being daily drilled in small parties of pillage, voluntarily offer themselves in regiments upon all public commotions—no matter to them whether it is a declaration of absurd, impracticable rights, a manifesto of rebellion, or a standard of revolt—*rapine* and *confusion* are the watch-words of the *corps*, and to effect these they are ready to set fire to

those grains of gunpowder, so artfully spread for them by some of their leaders, “to blow “up all that is combustible in the state.”

That something similar to this, may be the language and conduct of many of those *modern reformers*, is to be dreaded by all sober and impartial men who have made any observations upon government or human nature; but if any doubt this theory is not sufficiently founded, let them turn their eyes to a neighbouring kingdom, where this sad *tragedy* is now performing before them in all the attributes of *terror* and *compassion*; where reformation is carried on by *pillage* and *massacre*; where all rule, order, and subordination are overturned, and from the imitation of which, if we are not the most sottish and devoted of people, we will fly as we would obey a warning voice from heaven.

In the beginning of the French revolution the *Notables* talked of a simple reform in their government, as some of us do now, and many, no doubt, with good intentions: it must be confessed likewise, there was great room for reformation in France, both from the overgrown power of the Crown, and the oppressive privileges of a numerous, vain, and overbearing nobility. But in what manner did they proceed? instead of reforming the evils that trenched closest upon their li-

berties, instead of looking for the best models of their antient monarchy, and drawing from thence a system of government best suited to the manners, habits, and tempers of Frenchmen, the crowd which *surrounded the few of good intentions* went out of their way for speculative and impracticable theories. They *would* have that in civilized society which is not founded in nature ; and thus, in refining, lost not only what they might otherwise have obtained, but produced a farago of *government*, without head, or without tail, subject to all kinds of tumults and disorders, existing upon the chapter of accidents, and baffling the speculations of the most experienced political observers.

It is not my purpose in the course of these observations to *stale* the public memory by going into a detail of the French proceedings; the journals of the last three years have given us the most deplorable accounts of them, where every insult that could be offered unoffending majesty, every infraction that could be made on law, and every massacre (including that of their unfortunate Monarch) that could be practised upon helpless innocence, have been not only committed, but braved with a most daring and ferocious impunity ; indeed so much, that the warmest defenders

of the original revolution can no longer countenance its present support—nay, even those who praised it “as the most glorious fabric ever raised by human wisdom and integrity,” and “who triumphed in the victory of Jemappe,” now content themselves with the humble hope, “that Frenchmen may gain their liberties by other means.”

If then the good to be derived from a reformation in Parliament is so precarious as to be doubted by many sober and dispassionate men, and the evils, which may be produced in the attempt, so probable and so alarming in their consequences, there can be no doubt *that we ought not to make the trial at the present moment*; more particularly when we have got a Parliament far from infringing upon the rights of the Constitution, but, on the contrary, giving it every degree of melioration that times and circumstances will admit.

That I do not inconsiderately volunteer this compliment to Parliament, I will beg leave briefly to recall the public attention to the state this country was in at the conclusion of the *American war*, and then compare it with what it is at present.

In the spring of 1784 (though we had been at peace for above a year) the price of the public funds felt an annihilation of nearly one

third of their value by a comparison in similar periods of tranquillity — the value of lands suffered nearly the same diminution : this, accompanied by a great scarcity of specie and bullion, caused a general stagnation in the exertions of the country ; the spirit of the nation seemed to be broken, and the generality of the people despaired of the renovation of either national credit or character.

The Parliament of 1784 met all these difficulties, but they met them with confidence, and like men “who did not despair of the commonwealth.” They began with the *India bill*, in order to correct the several abuses in the presidencies, as well as to make more direct and provident regulations respecting the Court of Directors. Their measures were crowned with success ; a more efficient government was established in India, which paved the way for the late brilliant successes of Lord Cornwallis, and which will considerably add to our alliances, our territory, and investments, and above all these, the honour and high-wrought generosity of the British character.

They next formed a commercial treaty with France, (whilst France had yet a name and rank in Europe) and in the room of former feuds and unmanly prejudices, would (but

for the subsequent pernicious politics of that country) have substituted the more solid advantages of commerce and brotherly love.

They next consolidated the customs, increased the revenue by wholesome restrictions on smuggling, and established a trade with America; all of singular advantages to Great Britain.

In the *regency* bill, they supported the rights of the public against privileges falsely attributed to the crown by some of those very men who *dare* call themselves the *friends of the people*; and who, under this hypocritical mask, wanted to transfer away their liberties, for the sake of appropriating to themselves places of profit and power.

They appointed commissioners for auditing the public accounts, (a circumstance hitherto most shamefully omitted;) and above all, established an annual million for the liquidation of the national debt;—a debt that seemed, to the generality of the public, too big to be grasped at even in calculation; but which, in the course of about six years, we see annually yielding to the victorious arms of spirited, persevering, well-economized finance.

To those interior beneficial regulations, they equally supported the national spirit of Great Britain, by their timely interference in the settlement of Holland; and convinced

Spain, that not an individual of the British Nation dared be insulted with impunity.

The Parliament of 1790 have hitherto followed the steps of their predecessors, *equis passibus*. They have aided the former regulations relative to finance by not only adding to the annual million, but by establishing this fund independent of all future exigences. They have further secured the liberty of the subject by the late *libel bill*; and, meeting the sentiments of the majority of the Nation relative to the *slave-trade*, they are in a train of extinguishing a commerce which has been held to be so injurious to the rights of humanity.

Can we, then, in the name of justice, policy, or gratitude, complain of an inadequate representation, when the last and present Parliaments have done such signal and solid services for their country? and particularly at a time, like the present, when, notwithstanding our national pre-eminence, and the unhappy example of France, there are not wanting spirits amongst us—some from bigoted and speculative views, others from the impious prospects of a general confusion—would put all to the risque for the attainment of their several objects.

That a parliamentary reform should never be attempted, would be, perhaps, as preci-

pitate to assert, as it would be now to say—
 “ This is the proper time.” In the judicious
 distinction of time and season lies the true basis
 of political safety—If ever, therefore, a period
 should arise when the views of Parliament
 shall lead one way, and the *uninfluenced* sen-
 timents of the people, another—To cement,
 or rather to restore the communication and
 union of the principle which should prevail
 between two such *fraternal* bodies, may be a
 measure peculiarly necessary—Till then, sur-
 rounded as we are by different Kingdoms,
 some in slavery and bondage, others in anar-
 chy and confusion, let us be thankful for the
 situation in which Providence has placed us
 —and as a proof that we are governed by one
 great and leading principle for preserving that
 situation, let us unanimously exclaim in the
 language and spirit of our brave and wise fore-
 fathers,

2 AP 63

NOLUMUS LEGES ANGLIÆ MUTARE.

ERRATA.

Page 3 line 10, for "if it were," read "if it were *possible*."

6 — 25, — "to go through," read "*from* going through."

ib. — 27, — "to combat," read "*from* combating."

14 — 22, — "is not a question," read "is not *so much* a question."

ib. — 24, — "not involved in it," read "not *so essentially* involved in it."

47 — 4, — "*equis passibus*," read "*passibus æquis*."

А. И. С. И. Т.

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[illegible]

2 AP 63

2 AP 63

